

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan Langberg et al

Examiner: Jason-Dennis Neilken Stewart

Serial No.: 10/715,221

Group Art Unit: 3738

Filing Date: November 17, 2003

Confirmation No. 5022

Title: PERCUTANEOUS MITRAL ANNULOPLASTY
WITH CARDIAC RHYTHM MANAGEMENT

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. §1.491.
- ☐ Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement,
 - ☐ the Commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. _____, for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
 - ☐ the statement specified in 37 C.F.R. § 1.97(e) is provided below in accordance with 37 C.F.R. § 1.97(c)(1).

The undersigned certifies that:

- ☒ Each item of information contained in the Information Disclosure Statement was first cited in a communication mailed from any foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed except:
- ☒ Copies of the U.S. references are not being submitted pursuant to 37 CFR 1.98(a)(2)(i).
- ☐ Copies of those items which are marked with an asterisk(*) in the attached form PTO-1449 are not supplied because they were previously cited by or submitted to that Patent office in a prior application No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).

III. Concise Explanation of Relevance:

- ☐ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☒ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of the Written Opinion from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or

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3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. PVI-5813CP1CN1 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Date: August 18, 2008

Respectfully submitted,

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